IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.7474 OF 2005

Kumar Akshay Kumar Anil Thikane .. Petitioner

Vs.

Shri Anil Khupal Thikane & Anr. ..Respondents

Mr.S.G.Thorat and Mr.J.P.Kharge for the petitioner

Respondent in person

CORAM : S.U.KAMDAR, J
DATED : 2ND DECEMBER, 2005

P.C.:

. By the present petition, the order passed by the Motor Accidents Claim Tribunal dt.1.8.05 is under challenge. By the said application what is sought is to withdraw the minor share which is lying deposited with the Tribunal. The only reason given is that amount is required for repayment of loan which was taken by the father who is respondent no.1. I do not think that this is a proper case in which the minor's share should be allowed to be adjusted towards repayment of loan. However, I clarify that after the minor who is presently in XIIth goes in higher education and if

he gets admission in higher College he will be at liberty to apply for withdrawal of amount towards his educational purpose before the Motor Accidents Claim Tribunal and if such an application is made, the same may be decided on its own merits. With the aforesaid clarification, petition is disposed of . No order as to costs.